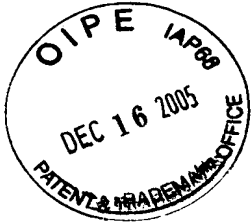


DOCKET NO.: CEPH-2249/CP241

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Craig Heacock, et al.

Confirmation No.: 1994

Application No.: 10/616,776

Group Art Unit: 1615

Filing Date: July 10, 2003

Examiner: Not Yet Assigned

For: MODAFINIL PHARMACEUTICAL COMPOSITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 CFR § 1.102 and MPEP § 708.02)**

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material

Accompanying this petition is:

- a. A Declaration of Facts in Support of Petition to Make Special Because of Actual Infringement;
- b. A Declaration by Attorney in Support of Petition to Make Special Because of Actual Infringement; and
- c. Supplemental Information Disclosure Statement.

2. Fee (37 CFR § 1.17(i))

The fee required is to be paid by:

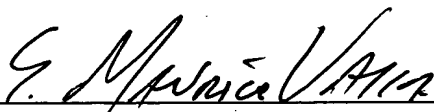
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02 FC:1464

130.00 OP

- ☒ A check in the amount of \$130.00 is attached.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$130.00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

Date: December 15, 2005



S. Maurice Valla
Registration No. 43,966

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